

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 6059



Introduced by **HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.**

EXPLANATORY NOTE

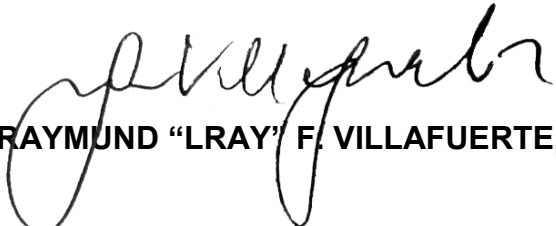
People's relationship with animals dates back to ancient times. Animals have been a source of companionship, entertainment, hard labor, and even food for man. The way that animals suffer also varies from entertainment and fashion to food, medicine, and scientific advancement.

This proposal seeks to establish a better Animal Welfare Act. With news and posts on social media regarding animal cruelty, there is an apparent need to put more weight on the law by imposing harsher penalties on erring individuals. It seeks to establish a Bureau that would safeguard the rights of animals and assure their welfare.

The increasing consciousness of Filipinos on animal welfare should match our law's ability to address growing related issues and concerns. Accordingly, we seek to strengthen standards, policies, and responses to violations of the law. Our government should be able to recognize the importance of good animal welfare and animal-friendly practices as these animals have saved human life countless times.

In December 2011, hero dog Kabang saved the lives of two girls crossing a busy road by deliberately leaping in front of a motorbike. Indeed, animals have a special connection with humans. Just as how Kabang, who peacefully passed away in May 2021 imprinted her heroic story that will forever be carried by the two girls she saved from a road accident, animals deserve the right treatment that this bill fights for.

In view of the foregoing, the immediate passage of this bill is earnestly sought.


LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

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AN ACT
PROVIDING FOR THE REVISED
ANIMAL WELFARE ACT OF THE PHILIPPINES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Short Title. – This Act shall be known as the “*Revised Animal Welfare Act*”.

Sec. 2. Declaration of Policy. – It shall be the policy of the State to protect and promote the welfare of all animals, by establishing a system of supervision and regulation to ensure humane treatment in all aspects of the keeping, maintaining, handling, transporting, breeding, training, treating and use of animals. Good animal welfare involves adherence to the five basic freedoms of animals, namely: (1) Freedom from hunger and thirst; (2) Freedom from discomfort; (3) Freedom from pain, injury or disease; (4) Freedom to express normal behavior; and (5) Freedom from fear and distress.

Sec. 3. Coverage. – This Act shall apply to all programs, activities, and undertakings of any person, association, partnership, corporation, cooperative or any government agency or instrumentality, that:

- a. handle, breed, train, keep, care for, transport, exhibit, display, use, and in any other manner interact with any animals, whether as pets, livestock, wildlife, or those for education, entertainment, or show; or
- b. own, operate, or maintain any facility that interacts with animals.

Sec. 4. Objectives. – The objectives of this Act are:

- a. To protect and promote animal welfare by providing policies and standards in the establishment and operation of animal facilities and transportation;
- b. To establish guidelines and standards in the use, treating, breeding, maintaining, keeping, and training of all animals;

- c. To protect and promote animal health through the maintenance of adequate, clean and sanitary facilities used in the keeping, breeding, treating and training of animals;
- d. To promote responsible pet ownership through education and information dissemination;
- e. To regulate the operation and maintenance of animal facilities or any establishment where animals are kept for whatever reason or purpose;
- f. To formulate rules and regulations that will ensure the promotion of animal welfare in the establishment, maintenance and operation of any pet shop, kennel, pound, shelter, slaughter houses, veterinary clinic, veterinary hospital, stockyard, corral, stud farm, stock farm or zoo for the breeding, raising, treatment, sale or trading, or training of animals;
- g. To establish inter-agency, multi-sectoral and local government cooperation for the promotion and protection of animal welfare;
- h. To create and establish an organizational structure that will effectively implement the provisions of this Act and all laws relevant to it; and
- i. To promote public awareness and concern for caring for animals and its welfare.

Sec. 5. Principles of Animal Welfare. –

- a. Decisions regarding animal care, use, and welfare shall be made by balancing scientific knowledge and professional judgment, and in consideration of ethical and societal values;
- b. Protection of animal habitat is an animal welfare consideration;
- c. Animals must be provided humane care and treatment, and an animal habitat appropriate to their species-typical biology and behavior;
- d. Animals should be cared for in ways that minimize fear, pain, stress, and suffering;
- e. Animals shall be treated with respect and dignity throughout their lives and, when necessary, provided a humane death; and
- f. Conservation and management of animal populations should be humane, socially responsible, and scientifically prudent;

Sec. 6. Definitions. – For purposes of this Act, the following terms shall mean:

- a. *Animal* - refers to domesticated vertebrate and invertebrate species under the control or custody of man, which may be food producing, companion, labor, aquatic or laboratory, including birds.

- b. *Animal Facility* - refers to any facility, structure, or premises used for the purpose of keeping, caring, breeding, rearing, holding, gaming, training, trading, treating, or exhibiting animals, including but not limited to farms, zoos, aviaries, apiaries, kennels, race tracks, cockpits, pet shops, shelters, pounds, animal rescue centers, airport and seaport quarantine stations, animal holding facilities, stables, livestock markets, stockyards, corrals, stud farms, stock farms, slaughterhouses, aquaria, laboratories, veterinary clinics, and veterinary hospitals.
- c. *Animal fighting venture* - refers to any event, show, exhibition, program, or other activity that involves a fight conducted or to be conducted between two or more animals for purposes of sport, wagering, amusement, or entertainment.
- d. *Animal welfare* - pertains to the physical and psychological well-being of animals. It includes, but not limited to, the avoidance of abuse, maltreatment, cruelty and exploitation of animals by humans by maintaining appropriate standards of accommodation, feeding and general care, the prevention and treatment of disease and the assurance of freedom from fear, distress, harassment and unnecessary discomfort and pain and allowing animals to express normal behavior.
- e. *Bureau* - refers to the Animal Welfare Bureau.
- f. *Captive Animals* - refers to animals that are confined for educational or recreational purposes in places such as but not limited to zoos, sanctuaries, including rescue centers, aquatic facilities and the like.
- g. *Euthanasia* - refers to the Bureau-approved process or method of administering humane ending of life to animals.
- h. *Keeper* - refers to any person who owns, possesses, or has control or custody over an animal.
- i. *Pets* - refers to domesticated animals, documented or otherwise, intended for companionship, therapy, seeing and hearing guides, recreation and value formation, and breeding such as but not limited to dogs, cats, fishes, rabbits, rodents, reptiles and birds.
- j. *Transport Facility* - Any transportation, public or private, whether air, water, land including tricycles and the like, used to transport animals to a particular destination.
- k. *Wild animals* - refers to animals of a species that are not traditionally domesticated in the Philippines, including those captured from their natural habitats. The Bureau may define such other terms as may be used in the implementation of this Act.

CHAPTER I

THE ANIMAL WELFARE BUREAU

Sec. 7. Animal Welfare Bureau. – The Animal Welfare Bureau is hereby created as a line bureau under the Department of Agriculture. It shall establish regional, provincial and municipal offices as may be appropriate and necessary to carry out effectively and efficiently the provisions of this Act.

Sec. 8. Functions of the Bureau. – As a line bureau, it shall have the following functions:

- a. Formulate policies, guidelines, standards, rules, and regulations for the effective implementation of this Act;
- b. Provide minimum standards on the appropriate food, water, and shelter for each species of pet and animals depending on the age, breed, size, and special needs thereof;
- c. In consultation with the Land Transportation Office, Land Transportation Franchising Regulatory Board, Civil Aeronautics Board, the Maritime Industry, other transport regulating body or agencies, experts, and animal welfare groups, set a species-specific standard for transportation of animals, including definitions for cruel confinement and restraint during transport, appropriate designs for transport cages and facilities, restraint types, provision of food and water, ventilation, and protection from extreme weather conditions;
- d. Establish an emergency animal response and rescue system to appropriately respond in cases of calamities such as but not limited to floods, earthquakes, and other natural disasters;
- e. Promulgate guidelines for humane slaughter of animals, in consultation with the National Meat Inspection Service, local government units and other concerned government agencies;
- f. Implement a system for inspection of animal facilities to ensure compliance with animal welfare standards and regulations;
- g. Monitor compliance of the local government units with animal welfare programs, standards, rules and regulations;
- h. Ensure proper coordination with non-government organizations, people's organizations and academe for the strict implementation of the rules and regulations issued;
- i. Formulate guidelines and qualifications related to research and testing on animals;
- j. To issue, suspend, cancel permits or certifications pursuant to the purposes of this Act;
- k. To levy and collect fees for registration, certification, inspection and monitoring system and other fees as the Bureau may deem necessary for the effective implementation of this Act;

- l. Keep records and documents pertaining to animal welfare in the country as well as the maintenance of surveillance and management information system on animal welfare;
- m. Create a system and guidelines for the determination or approval of applications of certifications, authorizations, and permits necessary for the establishment, maintenance, and operation of animal facilities, as well as to issue said certifications, authorizations, and permits and to collect associated fees; and
- n. Perform such other duties and responsibilities which are necessarily to achieve the purposes of this Act.

Sec. 9. *Composition of the Animal Welfare Bureau.* – As a line bureau, the Bureau shall be headed by a Director and assisted by two (2) Assistant Directors who shall supervise the administrative and technical services of the Bureau.

The Director must possess adequate knowledge, training and experience in the field of agriculture, biology, animal husbandry, veterinary science, veterinary medicine or other similar discipline.

CHAPTER II ANIMAL WELFARE ENFORCEMENT OFFICERS

Sec. 10. *Deputization of Animal Welfare Enforcement Officers.* – The Secretary of Agriculture shall deputize animal welfare enforcement officers from non-government organizations, citizens' groups, community organizations and other volunteers who have undergone necessary training for this purpose.

The Philippine National Police (PNP), the Armed Forces of the Philippines (AFP), the National Bureau of Investigation (NBI) and other law enforcement agencies shall designate animal welfare enforcement officers who shall assist in the implementation of this Act. In the absence of such enforcement officers, the said law enforcement officers shall continue to implement the law under their general mandate.

The animal welfare enforcement officers shall have the full authority to seize and rescue illegally traded and maltreated animals and to arrest violators of this Act subject to existing laws, rules and regulations on arrest and detention. Regardless of the absence of a designated animal welfare enforcement officers in the law enforcement, the same shall not preclude them from enforcing of the provisions of this Act.

The Bureau shall set guidelines in the training, qualification, reporting, and coordination of deputized animal welfare enforcement officers to cover the following:

1. guidelines on the criteria and training requirements for the deputation of animal welfare enforcement officers; and
2. mechanism for the supervision, monitoring and reporting of these enforcement officers.

CHAPTER III BASIC ANIMAL CARE AND HANDLING

Sec. 11. *Minimum Standards for handling, care, treatment, transportation, and opportunity to express natural behaviors of animals.* – The Bureau shall promulgate standards to govern humane handling, care, treatment and transportation and opportunity to express natural behaviors of animals. The standards shall include minimum requirements for handling, housing, feeding, watering, sanitation, ventilation, adequate veterinary care and separation by species, as well as transportation of animals in commerce and for research and the handling, care and treatment in connection therewith.

The Bureau, in consultation with experts and key government agencies, shall promulgate other rules and regulations as it may deem necessary to assure humane treatment of animals.

CHAPTER IV PROHIBITED ACTS

Sec. 12. *Prohibition on Cruelty, Maltreatment, Abuse and Exploitation of Animals.* – It shall be unlawful to torture, abuse, exploit any animal, to neglect to provide adequate care, sustenance or shelter, or maltreat any animals, cause or procure to be tortured, or deprive such animals of adequate care sustenance or shelter, or maltreat or use the same in research or experiments not expressly authorized by the Bureau. An act of cruelty includes but is not limited to the following:

- a. beating, harming, injuring, crushing, mutilating, maiming, disfiguring, stabbing, cutting, poisoning, drowning, torturing, tormenting, starving, overworking, or abusing an animal, or any other act or omission toward an animal, including any act of neglect, causing the animal pain, suffering, or distress, whether physical or psychological;
- b. exposing an animal to inhumane and unsafe conditions and situations including overcrowded, inappropriate, unclean, or unsanitary animal facilities, shelters, or transport facilities;
- c. killing an animal by inhumane methods such as electrocution or gas chamber;
- d. using an animal in research or experiments not expressly authorized by the Bureau; and
- e. Overworking an animal.

Sec. 13. *Prohibition on Neglect.* – It shall be unlawful for any keeper of an animal to fail to provide such animal with basic care in accordance with the Bureau's minimum standards for unjustifiable reasons.

Sec. 14. *Prohibition on Killing of Animals.* – It shall be unlawful for any person to kill animals other than cattle, pigs, goats, sheep, poultry, rabbits, carabaos, horses and other animals identified by the Bureau. The killing of pets and animals not

customarily consumed as food, or cause or procure the same to be killed is prohibited, except in the following instances:

- a. When it is done as part of the religious rituals of an established religion or sect or a ritual required by a tribal or ethnic custom of indigenous cultural communities;
- b. When pet animal is afflicted with an incurable communicable disease as determined, deemed necessary, and certified by a duly licensed veterinarian;
- c. When it is done to prevent imminent danger to the life or limb of humans;
- d. When done for the purpose of animal population control, duly certified by the Provincial/City Veterinary Officer;
- e. Euthanasia of an animal by a duly licensed veterinarian after the animal has been used in an authorized research or experiment in accordance with Section 19;
- f. Humane slaughter of a farm animal; or
- g. Any other ground analogous to the foregoing as determined and certified by a duly licensed veterinarian. In all the above-mentioned cases, the killing shall at all times be done only through humane procedures approved by the Bureau. For this purpose, humane procedures shall mean the use of the most scientific methods available as may be determined by the Bureau.

Sec. 15. Prohibition on ear cropping, tail docking, de-vocalization, declawing and other similar mutilation. – The conduct of ear cropping, tail docking, devocalization, de-clawing, or any other similar mutilation is prohibited, except in cases as may be required for the well-being of the animal as determined by a duly licensed veterinarian. When allowed, the same may only be performed by a duly licensed veterinarian.

Sec. 16. Prohibition on Animal Fights. – It is prohibited to subject animals to fights such as but not limited to dog fighting, carabao or bull fighting or horse fighting and the like, not authorized or regulated by law. Any person who participates under circumstances as described herein shall be considered accessories in the commission of animal fighting and/or abetting in the commission of animal cruelty. It shall include, but shall not be limited to pitting one animal with another for the purpose of human entertainment, wagering, or sport. In certain instances, one of the animals involved may be a “bait animal” used for the ostensible purpose of sport or training. The prohibition on animal fights shall include but not limited to the following:

1. Cause, procure, permit, encourage, promote, organize, sponsor, or incite a fight in which an animal is pitted against another animal for any purposes such as dog fighting and horse fighting and the like;
2. Advertise, promote, sell tickets or otherwise assist in an animal fighting venture;
3. Attend such a fight;

4. Breed or train any animal for the purpose of having it fight, engage, or otherwise participate in an animal fighting venture;
5. Permit an animal fighting venture to take place on any site, structure, facility or other premises under the person's ownership or control; or
6. Attend, wager on, or otherwise patronize an animal fighting venture. Animal fighting ventures held during festivities, festivals, fiestas and the like are not exempt from this Section and are strictly prohibited.

Sec. 17. Use of Animals for Show, Media, TV, Movies or Entertainment. – Promoters/organizers of animals show, media or entertainment shall obtain necessary permits from the Bureau when using animals. The presence of a licensed veterinarian during the entire show, taping, shooting or program shall be required. The Bureau shall lay down requirements for this purpose. All other provisions regarding proper care and treatment of animals in general shall be applicable to these animals used for show or entertainment especially with respect to transport, holding area, allowance for rest and provision of food and water. It shall be unlawful for producers and promoters of shows where animals are used to import, procure or use animals from sources without animal welfare standards/laws and/or has been shown to have maltreated or exposed animals to inhumane conditions prior to its importation. The animal should be given sufficient food and accommodation as well as adequate rest for the entire duration of its stay in the Philippines.

Sec. 18. Use of animals for work. – Animals used as working animals including but not limited to carriage horses, farm animals and the like must comply with the minimum standards set forth herein and as may be issued by the Bureau. Working animals should not be allowed to work under circumstances where its health and safety will be at risk.

Sec. 19. Visitorial/Inspection power. – Owners and/or operators of animal facilities shall be subjected to regular, as well as random inspections by the Director or its authorized officers and employees to ensure compliance with the standards set forth by this Act. Fines, suspension or revocation of permits or certificates may be imposed to owners/operators subject to rules and regulations prescribed by the Bureau. Facilities operating without necessary permit or certification will be penalized.

Sec. 20. Rescue of Animals in an enclosed facility. – Animals found to have been abandoned, deprived of basic care, protection and food or subjected to inhumane or cruel situations, kept in an enclosed, locked, secured or sealed facility, whether public or private, maybe rescued, in coordination with the concerned local government units and the Bureau's municipal, provincial or regional office. Animals seized or rescued shall be referred to the local government pound or shelter. Bureau-accredited animal facilities subject to rules and regulations as may be issued. For wildlife, the same shall be referred to the Department of Environment and Natural Resources (DENR) or their nearest regional offices.

Sec. 21. Custody and Disposition of Effects. – Persons or organizations authorized by the Bureau or the law enforcement agencies shall take charge of the

custody of items seized including animals, pursuant to arrests made in violation of any provision of this Act, pending disposition of administrative, civil and criminal proceedings. Animals seized shall be referred to Bureau-accredited animal facilities. Wild animals shall be referred to the DENR-BMB, without prejudice to the latter's referral or transfer of the animals to other animal facilities with better and more suited facilities. Animals seized and/or rescued from inhumane conditions or facilities shall be immediately relieved from such condition or situation, provided, That physical inventory, documentation and photograph shall be conducted at the place of seizure for purposes of preserving evidence.

Sec. 22. *Emergency Response.* – The Bureau shall create and implement, in collaboration with the local government units and organizations, an interagency emergency response program for rescuing and caring for animals in times of calamity including but not limited to floods, earthquakes, volcanic eruptions, fires, and the like. Such program shall include placing of the animals in identified temporary shelters and/or recognized rescue centers, whether public or private, until the same are claimed by their rightful owners or can be rehomed appropriately. The Bureau, through the local government units, shall likewise establish an emergency response system to rescue and/or refer animals that are victims of abuse, cruelty and maltreatment to recognized animal shelters or facilities, whether public or private.

Sec. 23. *Use of animals as guide or service animals.* – Service animals, such as but not limited to guide/service dogs, are hereby regulated by the Bureau. Certification guidelines and standards for accreditation of dogs shall be established.

Sec. 24. *Use of animals in Research.* – Animals used in scientific procedures, research, and studies shall be regulated by the Bureau, ensuring that animal welfare regulations and guidelines in the use, experimentation, testing and manipulations of animals for said purpose are complied with at all times. No person, partnership, corporation, cooperative, government agency or instrumentality undertaking or operating any research facility shall use any animal in research or experiments without first obtaining a written authorization from the Bureau upon compliance with such guidelines and qualifications set by the Bureau.

Sec. 25. *Spay and Neuter and Vaccination of Stray Cats, Dogs and other Animals.* – Local government units, in coordination with the Bureau's municipal, provincial or regional offices, shall implement a mandatory spay and neuter for stray dogs, cats and other animals identified by the Bureau.

Sec. 26. *Penalties.* –

- a. Any person who subjects any animal to cruelty, torture, maltreatment or any of the prohibited acts herein shall be punished with a penalty of six months imprisonment and a fine of minimum fine of Thirty Thousand Pesos (P30,000.00).
- b. Operating an animal facility including any animal transport facility, without the required permit shall be punished with a penalty of one year imprisonment and a fine of One Hundred Thousand Pesos (P100,000.00).

- c. Failure to obtain the required permits to use animals for research and /or scientific education experiment and the like shall be punished with a penalty of six months imprisonment and a fine of minimum fine of Thirty Thousand Pesos (P30,000.00).
- d. If the violation is committed by an alien, he or she shall be immediately deported after the service of sentence without any further proceedings;
- e. The Penalty of two years imprisonment and a fine of Two Hundred Fifty Thousand Pesos (P250,000.00) shall be imposed if the offense involves any of the following circumstances:
 - i. committed by a syndicate involving a group of three or more individuals;
 - ii. committed by an offender who makes business out of cruelty to animal;
 - iii. committed by a public officer or employee; or iv. where at least three animals are involved. In any of the foregoing situations, the offender shall suffer subsidiary imprisonment in case of insolvency and the inability to pay the fine.
- f. Any person who has been convicted of a violation of this Act more than once shall be permanently and perpetually disqualified from being issued any permits or certificate to operate any animal facility including owning or possessing an animal/pet;
- g. The Court in its discretion may, in lieu of service in jail, require that penalties imposed of less than one year imprisonment be served by the defendant by rendering community service under such terms and conditions that the court may determine depending on the gravity of the offense. Under this circumstance, the court shall prepare an order imposing the penalty of community service in lieu of the penalty, specifying the number of hours to be worked and the period for it to be completed. Community service to be rendered must be related to assistance to animals.

Sec. 27. Animal Welfare Fund. – There is hereby established an Animal Welfare Fund to be administered by the Bureau as a special account in the National Treasury. It shall finance the programs of the Bureau on animal welfare as well as enforcement process. The Fund shall be derived from fines imposed and damages awarded pursuant to violations of this Act, fees charged for permits, registrations, and authorizations, donations, endowments, administrative fees or grants in the form of contributions. Contribution to the Fund shall be exempt from donor taxes and all other taxes, charges or fees imposed by the government.

Sec. 28. Mandatory Animal Welfare Education. – It shall be mandatory for all primary and secondary education schools, public and private to integrate in their curriculum and have activities on the following:

- a) the promotion and protection of the welfare of animals;
- b) responsible pet ownership; and

- c) concept of animal welfare.

Sec. 29. *Communication, Education and other Public Awareness campaigns.* – The Bureau, together with concerned government agencies, and in partnership with organizations, shall implement programs towards increasing awareness on animal rights and animal welfare through various information awareness activities and programs.

Sec. 30. *Appropriation.* – The sum necessary to effectively carry out the provisions of this Act shall be sourced from the budget of the Department of Agriculture. The subsequent funding shall be included in the annual General Appropriation Act.

Sec. 31. *Separability Clause.* – If any portion or provision of this Act is declared unconstitutional or invalid, the other portions or provisions hereof, which are not affected, shall continue to be in full force and effect.

Sec. 32. *Repealing Clause.* – All laws, decrees, rules and regulations inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

Approved,